

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

714E0465

## SENATE BILL NO. 234

Introduced by: Senators Sutton (Dan), Brown (Arnold), Daugaard, Hutmacher, and  
McCracken and Representatives Garnos and Olson (Mel)

1 FOR AN ACT ENTITLED, An Act to provide for the development and administration of certain  
2 standardized academic achievement tests.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-3-55 be amended to read as follows:

5 13-3-55. Every school district shall administer the same national norm-referenced academic  
6 achievement test to all students in grades two, four, eight, and eleven. ~~In addition, and~~ every  
7 school district shall administer to all students in grades five and nine an achievement test to  
8 assess writing skills. ~~These~~ In addition, every school district shall administer the same criterion-  
9 referenced academic achievement test, once in the fall semester and once again in the spring  
10 semester, to all students in grades three, six, and ten. The criterion-referenced tests shall be  
11 designed by the state. All of the tests shall be provided by the Department of Education and  
12 Cultural Affairs and shall assess proficiency in meeting state standards. ~~These~~ The tests shall be  
13 administered starting during the ~~1998-1999~~ 2001-2002 school year. Each state-designed test for  
14 each grade level to be tested shall be a single statewide criterion-referenced test, which shall be  
15 highly correlated with the state's graduation requirements, course guidelines, and academic

1 content standards.

2 Section 2. That chapter 13-3 be amended by adding thereto a NEW SECTION to read as  
3 follows:

4 The South Dakota Academic Achievement Test Advisory Council is hereby established. The  
5 council shall advise the Department of Education and Cultural Affairs, the South Dakota Board  
6 of Education, education-related organizations, and other education groups on issues related to  
7 statewide academic achievement tests required pursuant to this Act. The council shall meet at  
8 least annually with the Department of Education and Cultural Affairs to discuss testing issues,  
9 results, mechanics, and other relevant student achievement test issues in this state. The council  
10 shall consist of nine members appointed by the Governor from the following categories:

- 11 (1) Three teachers who are members of the South Dakota Education Association;
- 12 (2) Two school board members;
- 13 (3) One school administrator;
- 14 (4) One employee of the Department of Education and Cultural affairs;
- 15 (5) One member of the South Dakota Board of Education; and
- 16 (6) One Parent Teacher Association member.

17 Members of the council shall be appointed for two-year terms, except that five of the  
18 members of the initial council shall be appointed to two-year terms, and four of the members of  
19 the initial council shall be appointed for one year. All subsequent appointments shall be for terms  
20 of two years. Any vacancy on the council that occurs before the incumbent's term has expired  
21 shall be filled by appointment to serve the remainder of the unexpired term. The number of terms  
22 that a council member may serve is not limited. The council shall receive per diem compensation  
23 and allowable expense reimbursement in an amount set pursuant to § 4-7-10.4 for all time  
24 actually spent while attending council meetings. The provisions of this section shall be

- 1 implemented using funds from the normal operating budget of the Department of Education and
- 2 Cultural Affairs.